

REMARKS

Applicants' undersigned attorney thanks the Examiner for her comments. Applicants respectfully request reconsideration of this patent application, particularly in view of the following remarks. Currently, Claims 1, 2 and 4-17 are pending with Claims 1, 2 and 4-11 rejected and Claims 12-17 withdrawn. Claim 3 was previously canceled.

Applicants invention is a nonwoven fabric having a mélange appearance (i.e. an alternation of color and/or intensity) imparted by a fiber part and high durability imparted by a matrix binder. The fiber part includes at least one of a mélange appearance fiber and a mixture of at least two fibers with different dyeability characteristics. The matrix binder includes a polyurethane including soft and rigid segments. The soft segments consist of at least one polycarbonate polyol selected from the group consisting of polypentamethylenecarbonatoglycol, polyhexamethylenecarbonatoglycol and polyheptamethylenecarbonatoglycol and at least one polyester polyol selected from the group consisting of polyhexamethyleneadipateglycol, polyneopentyladipateglycol, and polycaprolactonediol. The rigid segments consist of urethane groups and ureic groups wherein the urethane groups are derived by the reaction of isocyanate with polyols and the ureic groups are derived by the reaction of isocyanate with water.

Interview Summary

Applicants' Attorney Moderson and Examiner Elizabeth Cole conducted a telephone interview on 16 October 2006. Applicants' undersigned attorney would like to thank the Examiner for her courtesy during the interview.

Applicants' Attorney Moderson and the Examiner discussed the originally file Declaration and the priority claim. The Examiner indicated that providing a new Declaration which clarified the priority claim issue would likely overcome the rejection based on the priority document.

Claim Rejections - 35 USC §103

The rejection of Claims 1, 2 and 4-11 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication 2003/0252254 to Bellucci et al. in view of U.S. Patent 4,525,169 to Higuchi et al. is respectfully traversed.

The Examiner states that this rejection was maintained because the originally filed Declaration seems to indicate that priority to Italian Patent Application MI 2002 A 002685, filed 19 December 2002, is not being claimed. The Examiner further states that once this issue is clarified and if priority is being claimed, the rejection will be withdrawn since priority will have been perfected and the Belluci reference will have been overcome.

Applicants respectfully submit that priority is being claimed from Italian Patent Application MI 2002 A 002685. To support the priority claim, Applicants are filing herewith a newly executed Declaration which clearly indicates the priority claim. Applicants further support the priority claim by noting that a certified copy of Italian Patent Application MI 2002 A 002685 was filed and was received by the United States Patent and Trademark Office on 20 July 2004.

In view of the above, reconsideration and withdrawal of this rejection is respectfully requested.

Withdrawn Claims

Applicants respectfully request that the requirement for restriction between the product claims (1, 2 and 4-11) and the process claims (12-17) be withdrawn as provided in MPEP §806.05(f). Claims 12-17 are directed to a method for preparing the non-woven fabric of the present invention. Additionally, Claims 12-17 depend from Claim 1 and therefore require all of the limitations of Claim 1. Accordingly, Applicants respectfully request rejoinder of withdrawn Claims 12-17 should Claims 1, 2 and 4-11 be deemed patentable.

Conclusion

Applicants believe that this case is now in condition for allowance. If the Examiner feels that any issues remain, then Applicants' undersigned attorney would like to discuss the case with the Examiner. The undersigned can be reached at (847) 490-1400.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. D. Erickson', written in a cursive style.

Kevin D. Erickson
Reg. No. 38,736

Pauley Petersen & Erickson
2800 W. Higgins Road, Suite 365
Hoffman Estates, Illinois 60195
847/490-1400
FAX 847/490-1403